

## DECLARATION AND POWER OF ATTORNEY

As a below named inventor, we hereby declare that:

Our residence, post office address and citizenship are as stated below at 201 et seq. underneath my name.

I believe I am the original, first and sole inventor if only one name is listed at 201 below, or an original, first and joint inventor if plural names are listed at 201 et seq. below, of the subject matter which is claimed and for which a patent is sought on the invention entitled

## THE USE OF MIXED DUPLEX OLIGONUCLEOTIDES TO EFFECT LOCALIZED GENETIC CHANGES IN PLANTS

and for which a patent application

☒ Is attached hereto.

☒ with preliminary amendment filed on even date herewith (if applicable)

I hereby state that I have reviewed and understand the contents of the above identified application, including the claims, as amended by any amendment referred to above.

I acknowledge the duty to disclose information known to me to be material to patentability as defined in Title 37, Code of Federal Regulations, §1.56.

I hereby claim foreign priority benefits under Title 35, United States Code, §119(a)-(d) of any foreign application(s) for patent or inventor's certificate listed below and have also identified below any foreign application for patent or inventor's certificate having a filing date before that of the application on which priority is claimed:

EARLIEST FOREIGN APPLICATION(S), IF ANY, FILED PRIOR TO THE FILING DATE OF THE APPLICATION			
APPLICATION NUMBER	COUNTRY	DATE OF FILING (day, month, year)	PRIORITY CLAIMED
			YES <input type="checkbox"/> NO <input type="checkbox"/>
			YES <input type="checkbox"/> NO <input type="checkbox"/>

I hereby claim the benefit under Title 35, United States Code, §119(e) of any United States provisional application(s) listed below.

APPLICATION NUMBER	FILING DATE
Provisional Application Serial No. 60/054,836	August 5, 1997

I hereby claim the benefit under Title 35, United States Code, §120 of any United States application(s) listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in the prior United States application in the manner provided by the first paragraph of Title 35, United States Code §112, I acknowledge the duty to disclose information which is material to patentability as defined in Title 37, Code of Federal Regulations, §1.56 which became available between the filing date of the prior application and the national or PCT international filing date of this application:

APPLICATION SERIAL NO.	FILING DATE	STATUS		
		PATENTED	PENDING	ABANDONED

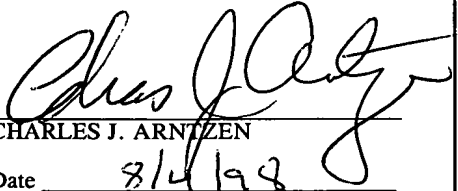
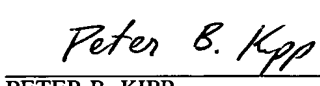
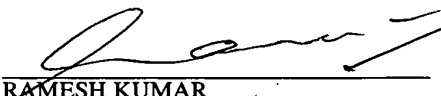
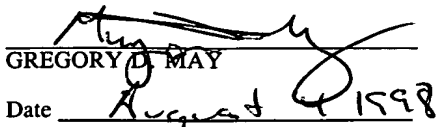
POWER OF ATTORNEY: As a named inventor, I hereby appoint Daniel Hansburg (Reg. No. 36,156) of Kimeragen, Inc., whose address is 300 Pheasant Run, Newtown, PA 18940, and Thomas E. Friebe (Reg. No. 29,258), Pennie & Edmonds, L.L.P., 1155 Avenue of the Americas, New York, NY, my attorneys, to prosecute this application, and to transact all business in the Patent and Trademark Office connected therewith.

SEND CORRESPONDENCE TO: KIMERAGEN, INC.  
300 PHEASANT RUN  
NEWTOWN, PA 18940

DIRECT TELEPHONE CALLS TO:  
DANIEL HANSBURG, KIMERAGEN, INC.  
215-504-4444

201	FULL NAME OF INVENTOR	LAST NAME Arntzen	FIRST NAME Charles	MIDDLE NAME J.	
	RESIDENCE & CITIZENSHIP	CITY Ithaca	STATE OR FOREIGN COUNTRY New York	COUNTRY OR CITIZENSHIP U.S.A.	
	POST OFFICE ADDRESS	STREET 1005 Highland Road	CITY Ithaca	STATE OR COUNTRY New York	ZIP CODE 14850
202	FULL NAME OF INVENTOR	LAST NAME Kipp	FIRST NAME Peter	MIDDLE NAME B.	
	RESIDENCE & CITIZENSHIP	CITY Ithaca	STATE OR FOREIGN COUNTRY New York	COUNTRY OR CITIZENSHIP U.S.A.	
	POST OFFICE ADDRESS	STREET 700 Warren Road, Apt 11-3E	CITY Ithaca	STATE OR COUNTRY New York	ZIP CODE 14850
203	FULL NAME OF INVENTOR	LAST NAME Kumar	FIRST NAME Ramesh	MIDDLE NAME (none)	
	RESIDENCE & CITIZENSHIP	CITY Pennington	STATE OR FOREIGN COUNTRY New Jersey	COUNTRY OR CITIZENSHIP U.S.A.	
	POST OFFICE ADDRESS	STREET 60 Yard Raod	CITY Pennington	STATE OR COUNTRY New Jersey	ZIP CODE 08534
204	FULL NAME OF INVENTOR	LAST NAME May	FIRST NAME Gregory	MIDDLE NAME D.	
	RESIDENCE & CITIZENSHIP	CITY Ithaca	STATE OR FOREIGN COUNTRY New York	COUNTRY OR CITIZENSHIP U.S.A.	
	POST OFFICE ADDRESS	STREET 303 The Parkway	CITY Ithaca	STATE OR COUNTRY New York	ZIP CODE 14850

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issuing thereon.

SIGNATURE OF INVENTOR 201   CHARLES J. ARNTZEN Date <u>8/4/98</u>	SIGNATURE OF INVENTOR 202   PETER B. KIPP Date <u>8/4/98</u>	SIGNATURE OF INVENTOR 203   RAMESH KUMAR Date <u>7/31/98</u>
SIGNATURE OF INVENTOR 204   GREGORY D. MAY Date <u>August 4 1998</u>		

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re: Application of: Arntzen, Charles J. et al.

Serial No.: To Be Assigned

Group Art Unit: To Be Assigned

Filed: Even Date Herewith

Examiner: To Be Assigned

For: The Use of Mixed Duplex Oligonucleotides To Effect Localized Genetic Changes in Plants  
Attorney Docket No: 7991-023-999

VERIFIED STATEMENT (DECLARATION) CLAIMING SMALL ENTITY STATUS  
[37 CFR 1.9(f) and 1.27(c)] - Small Business Concern

Assistant Commissioner for Patents  
Washington, D.C. 20231

Sir:

I hereby declare that I am

- ☐ the owner of the small business concern identified below:  
☒ an official of the small business concern empowered to act in behalf of  
the concern identified below:

Name of concern KIMERAGEN, INC.

Address of concern 300 Pheasant Run  
Newtown, PA 18940

I hereby declare that the above identified small business concern qualifies as a small business concern as defined in 37 CFR 1.9(d), for purposes of paying reduced fees under section 41(a) and (b) of Title 35, United States Code, in that the number of employees of the concern, including those of its affiliates, does not exceed 500 persons. For purposes of this statement, (1) the number of employees of the business concern is the average over the previous fiscal year of the concern of the person employed on a full-time, part-time or temporary basis during each of the pay periods of the fiscal year, and (2) concerns are affiliates of each other when either, directly or indirectly, one concern controls or has the power to control the other, or a third party or parties controls or has the power to control both.

I hereby declare that rights under contract or law have been conveyed to and remain with the small business concern and/or there is an obligation under contract or law by the inventor(s) to convey rights to the small business concern with regard to the invention, entitled

THE USE OF MIXED DUPLEX OLIOGNUCLEOTIDES TO EFFECT LOCALIZED GENETIC  
CHANGES IN PLANTS

by inventor(s): Charles J. Arntzen et al.  
described in

- ☒ the specification filed herewith  
☐ application Serial No. Filed  
☐ patent no. issued

If the rights held by the above identified small business concern are not exclusive, each individual, concern or organization having rights to the invention is listed below and no rights to the invention are held by any person, other than the inventor, who could not qualify as an independent inventor under 37 CFR 1.9(c) if that person made the invention, or by any concern which would not qualify as a small business concern under 37 CFR 1.9(d), or a nonprofit organization under 37 CFR 1.9(e).

FULL NAME \_\_\_\_\_  
ADDRESS \_\_\_\_\_

☐ INDIVIDUAL      ☐ SMALL BUSINESS CONCERN      ☐ NONPROFIT ORGANIZATION

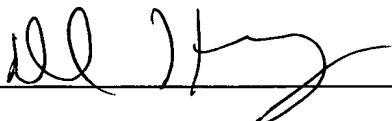
I acknowledge the duty to file, in this application or patent, notification of any change in status resulting in loss of entitlement to small entity status prior to paying, or at the time of paying, the earliest of the issue fee or any maintenance fee due after the date on which status as a small entity is no longer appropriate. [37 CFR 1.28 (b)]

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the application, and patent issuing thereon, or any patent to which this verified statement is directed.

Send correspondence to:      KIMERAGEN, INC.  
300 Pheasant Run  
Newtown, PA 18940

Direct Telephone calls to:  
215-504-4444

Name of person signing \_\_\_\_\_ DANIEL HANSBURG  
Title of person other than owner \_\_\_\_\_ ASSOCIATE GENERAL COUNSEL  
Address of person signing \_\_\_\_\_ Kimeragen, Inc.  
300 Pheasant Run  
Newtown, PA 18940

Signature  \_\_\_\_\_ Date 5 August 1998  
Reg. No. 36,156